

RECORD OF THE COUNCIL OF THE CITY OF SAINT CHARLES, MISSOURI  
November 20, 2007

The City Council convened in Regular Session on Tuesday, November 20, 2007, at 7:00 P.M. in the Council Chambers on the fourth floor of City Hall, 200 North Second Street, with President of the Council Bob Kneemiller, presiding, and the Honorable Mayor Patricia M. York and Members of the Council present as follows: Dave Beckering, Erv Ermeling, Laurie Feldman, Michael Klinghammer, Larry Muench, Jerry Reese, Ron Stivison, and Mike Weller. Absent: Richard Veit. The City Clerk, Marilyn K. McCoy, was present and performed the duties of that office.

File #46679

The meeting was opened with the Invocation, those present standing in a moment of silence, followed by the Pledge of Allegiance to the Flag.

A motion was made by MICHAEL WELLER to excuse the absence of Councilmember Richard Veit. LARRY MUENCH seconded the motion. All voted in favor, motion passed.

**PUBLIC HEARINGS**

The President of the Council Bob Kneemiller announced that the following Public Hearings would now be held. At the conclusion of the hearings, the Regular Session continued with the order of business:

- A. Case No. CU-27-07. (QuikTrip) The applicant is requesting approval of a conditional use permit to provide a vehicle car wash service in the C-3 Highway Business District. The applicant proposes to construct a new 3,400 square foot car wash facility adjacent to the QuikTrip convenience store/gas station at 3889 Mexico Road. (Ward 6). ***(Supplemental RCA attached)***
- B. Case No. CU-22-06 Starbucks (Tri Architects). The applicant proposes to install a 1,650 square foot Coffee Shop with drive-thru facilities on 0.65 acre in the C-3, Highway Business, zoning district. The property is located on the east side of Muegge Road just south of Mexico Road (Cave Springs Crossing Shopping Center). (Ward 6) ***(RCA attached)***
- C. Budget of the City of Saint Charles, Missouri, Fiscal Year 2008 ***(Council Bill 9503)***
- D. Capital Improvement Plan, Fiscal Years 2008-2012 ***(Resolution)***

A motion was made by BOB KNEEMILLER to advance *Item 10B Appointments to Boards and Commissions* on the agenda. MICHAEL KLINGHAMMER seconded the motion. All voted in favor, motion passed.

**Appointments to Boards and Commissions**

A motion was made by LARRY MUENCH to approve the following appointments to Boards and Commissions as presented by the Honorable Mayor Patricia M. York:

Cable TV Commission: Appointment of Michael Barfield to fill a vacant term ending in December, 2008

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Citizens with Disabilities Advisory Board: Reappointment of Earl Worley for a three year term ending in November, 2010

Youth Advisory Commission: Appointments of Rachel Baronovic, Jacob Becher, Morgan Brockmann, Danny Brougham, Taylor Geisman, Catherine Gravemann, Will Kleine, Caleb Krenning, Nick Lloyd, Neal Mahoney, Rachel McDonnell, Ama Mends, Ellen Ransom, Sara Semmel, and Jodi Wurm for one year terms.

LAURIE FELDMAN seconded the motion. A roll call vote was taken, with the following results: "Aye": Ermeling, Feldman, Klinghammer, Kneemiller, Muench, Reese, Stivison, Weller, and Beckering. "Nay": None. Absent: Veit Motion passed.  
File #46411

The Honorable Mayor Patricia M. York introduced the newly appointed members of the Youth Advisory Commission; and announced that the first meeting of the Commission is scheduled for December 13, 2007.

RESOLUTIONS/AWARDS/PROCLAMATIONS

Confirmation by Council and Appointment by Mayor of Michael Spurgeon as Director of Administration

A roll call vote was taken on the Council confirmation of the appointment of Michael Spurgeon as Director of Administration, as follows: "Aye": Kneemiller, Muench, Reese, Stivison, Weller, Beckering, Ermeling, Feldman, and Klinghammer. "Nay": None. Absent: Veit. Motion passed.

Appointment of Dennis Corley as Police Chief

A roll call vote was taken on the Council confirmation of the appointment of Dennis Corley as Police Chief, as follows: "Aye": Muench, Reese, Stivison, Weller, Beckering, Ermeling, Feldman, Klinghammer, and Kneemiller. "Nay": None. Absent: Veit. Motion passed.

Oath of Office of Dennis Corley as Police Chief

The Honorable Mayor Patricia M. York swore into office Dennis Corley as Police Chief of the City of Saint Charles, Missouri.

A Resolution Adopting the Capital Improvement Program for the City of Saint Charles, Missouri, for the Fiscal Years 2008 Through 2012 (*Sponsors: All Members of the City Council*)

The Resolution was referred to the Regular Council Meeting scheduled for December 4, 2007.

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A Resolution Endorsing and Supporting the Designation of the City of Saint Charles, Missouri, as a Preserve America Community (*Sponsor: Ron Stivison*)  
**Passed**      “Aye”: Reese, Stivison, Weller, Beckering, Ermeling, Feldman, Klinghammer, Kneemiller, and Muench  
                 “Nay”: None  
                 Absent: Veit  
**Approved** by the Honorable Mayor on November 21, 2007, and is known as **Resolution R07-26**

PUBLIC COMMENT RELATIVE TO AGENDA ITEMS

Council Bill 9440 Relative to Rezoning of 1427, 1501, 1503, 1517, 1519, and 1525 North Fourth Street

City Clerk Marilyn K. McCoy read a letter opposing Council Bill 9440 from **Maureen Rogers-Bouxsein and Richard Bouxsein**, 1409 North Third Street.

**Mark Nitchman**, 1310, 914 and 916 North Third Street, spoke in opposition to Council Bill 9440.

**Sara Schneider**, 833 Washington, spoke in opposition to Council Bill 9440.

PUBLIC COMMENT RELATIVE TO CITY ISSUES

**Dorothy Boshears**, #3 Olde Coventry, announced that there will be a train display at the Frenchtown Heritage Museum from November 23, 2007, through December 30, 2007.

BILLS FOR FINAL PASSAGE

**Bill 9440 (Amended)**

An Ordinance Rezoning to City Zoning District C-3 (Highway Business District) from City Zoning R-1E (Single-Family Residential District), Property Located at 1427, 1501, 1503, 1517, 1519, and 1525 North Fourth Street (*Sponsor: Richard Veit*)

A motion was made by BOB KNEEMILLER to amend Council Bill 9440 by removing 1519 and 1525 North Fourth Street. MICHAEL KLINGHAMMER seconded the motion. All voted in favor, motion passed.

**Bill 9482 (Substitute Bill No. 1)**

An Ordinance Repealing Ordinance No. 07-148 and Enacting a New Ordinance Authorizing an Agreement with Commerce Bank for the Establishment of a Bank Card Account, Designating Persons Authorized for Use of this Account, and Designating the Line of Credit Amount (*Sponsors: Bob Kneemiller and Jerry Reese*)

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**Passed** "Aye": Stivison, Weller, Beckering, Ermeling, Feldman, Klinghammer,  
Kneemiller, Muench, and Reese  
"Nay": None  
Absent: Veit

**Approved** by the Honorable Mayor on November 21, 2007, and is known as **Ordinance 07-290**

**Bill 9488 (Substitute Bill No. 1)**

An Ordinance Authorizing a Contract with Thoele Construction for Snow Removal Services for the 2007-2008 Winter Season for the City of St. Charles in an Amount Not to Exceed \$70,000.00 (*Sponsor: All Members of the City Council*)

**Passed** "Aye": Stivison, Weller, Beckering, Ermeling, Feldman, Klinghammer,  
Kneemiller, Muench, and Reese  
"Nay": None  
Absent: Veit

**Approved** by the Honorable Mayor on November 21, 2007, and is known as **Ordinance 07-291**

**Bill 9489 (Held)**

An Ordinance Authorizing a Cooperation Agreement Between the City of St. Charles and the Metropolitan Park and Recreation District, d/b/a The Great Rivers Greenway District ("GRG") for the Construction and Maintenance of the Boschert Creek Greenway (*Sponsors: Laurie Feldman and Michael Klinghammer*)

Council Bill 9489 was held upon the request of Parks & Recreation Board.

**Bill 9495**

An Ordinance Vacating Four (4) Utility Easements Located Along the Side Property Lines on Lots 9B, 10B, and 11B of Charlestowne, Plat 2. (*Sponsor: Michael Klinghammer*)

**Passed** "Aye": Stivison, Weller, Beckering, Ermeling, Feldman, Klinghammer,  
Kneemiller, Muench, and Reese  
"Nay": None  
Absent: Veit

**Approved** by the Honorable Mayor on November 21, 2007, and is known as **Ordinance 07-292**

**Bill 9496**

An Ordinance Vacating Four (4) Utility Easements Located Along the Rear Property Lines of Lots 100, 110 and Common Ground "E" of Spring Mill Estates, Plat 2. (*Sponsor: Michael Weller*)

**Passed** "Aye": Stivison, Weller, Beckering, Ermeling, Feldman, Klinghammer,  
Kneemiller, Muench, and Reese  
"Nay": None  
Absent: Veit

**Approved** by the Honorable Mayor on November 21, 2007, and is known as **Ordinance 07-293**

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**Bill 9497**

An Ordinance Annexing Certain Adjacent Contiguous Territories into the City of Saint Charles, Missouri, and Assigning the Properties to a Designated Ward of the City Being Lands Petitioned for Annexation by the City of St. Charles (2201 South River Road and 124 Wildwood Court); Heatherbrook and Webster Parks (*Sponsor: Laurie Feldman*)

**Passed** "Aye": Stivison, Weller, Beckering, Ermeling, Feldman, Klinghammer,  
Kneemiller, Muench, and Reese

"Nay": None

Absent: Veit

**Approved** by the Honorable Mayor on November 21, 2007, and is known as **Ordinance 07-294**

**Bill 9498**

An Ordinance Annexing Certain Adjacent Contiguous Territories into the City of Saint Charles, Missouri, and Assigning the Properties to a Designated Ward of the City Being Lands Petitioned for Annexation by Christian Fellowship Center (420 Hemsath Road). (*Sponsor: Laurie Feldman*)

**Passed** "Aye": Stivison, Weller, Beckering, Ermeling, Feldman, Klinghammer,  
Kneemiller, Muench, and Reese

"Nay": None

Absent: Veit

**Approved** by the Honorable Mayor on November 21, 2007, and is known as **Ordinance 07-295**

**Bill 9499**

An Ordinance Approving the Record Plat for Brighton Park Plat Three, a Subdivision of the City of Saint Charles, Missouri. (*Sponsor: Jerry E. Reese*)

**Passed** "Aye": Stivison, Weller, Beckering, Ermeling, Feldman, Klinghammer,  
Kneemiller, Muench, and Reese

"Nay": None

Absent: Veit

**Approved** by the Honorable Mayor on November 21, 2007, and is known as **Ordinance 07-296**

**Bill 9500**

An Ordinance Rezoning to City Zoning District R-1E (Single-Family Residential District) from County Zoning District R-1E (Single-Family Residential District), a Parcel of Land Located at 420 Hemsath Road. (*Sponsor: Laurie Feldman*)

**Passed** "Aye": Stivison, Weller, Beckering, Ermeling, Feldman, Klinghammer,  
Kneemiller, Muench, and Reese

"Nay": None

Absent: Veit

**Approved** by the Honorable Mayor on November 21, 2007, and is known as **Ordinance 07-297**

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**Bill 9501**

An Ordinance Rezoning to City Zoning District R-1E (Single-Family Residential District) from County Zoning District R-1E (Single-Family Residential District), Two Parcels of Land Located at 124 Wildwood Court and 2201 South River Road (Heatherbrook and Webster Parks) (*Sponsor: Laurie Feldman*)

**Passed**        “Aye”: Stivison, Weller, Beckering, Ermeling, Feldman, Klinghammer, Kneemiller, Muench, and Reese

                 “Nay”: None

                 Absent: Veit

**Approved** by the Honorable Mayor on November 21, 2007, and is known as **Ordinance 07-298**

**Bill 9502**

An Ordinance Authorizing an Agreement By and Between East-West Gateway Council of Governments and the City of St. Charles to Reimburse the Fire Department an Amount Not to Exceed \$15,000.00 for Providing Inventory Management Services for the Heavy Rescue Equipment Acquired Under the Urban Area Security Initiative Grant (*Sponsor: Bob Kneemiller*)

**Passed**        “Aye”: Stivison, Weller, Beckering, Ermeling, Feldman, Klinghammer, Kneemiller, Muench, and Reese

                 “Nay”: None

                 Absent: Veit

**Approved** by the Honorable Mayor on November 21, 2007, and is known as **Ordinance 07-299**

**Bill 9503 (Held)**

An Ordinance Adopting a Budget for the City for the Period from January 1, 2008 to December 31, 2008, and Appropriating Money in the City Treasury to Pay the Cost of Operating the City Government During That Period in Accordance with the Budget (*Sponsors: All Members of the City Council*)

Council Bill 9503 was passed; however, passage of Council Bill 9503 was reconsidered and subsequently held until the Regular Council Meeting scheduled for December 4, 2007; as reported on Page 343 of this record.

**Bill 9504**

An Ordinance Authorizing a Contract with Pundmann Ford for the Purchase of Six (6) 2008 Ford P71 Crown Victoria Vehicles for the Police Department in an Amount Not to Exceed \$133,434.00 (*Sponsor: Bob Kneemiller and Jerry E. Reese*)

**Passed**        “Aye”: Stivison, Weller, Beckering, Ermeling, Feldman, Klinghammer, Kneemiller, Muench, and Reese

                 “Nay”: None

                 Absent: Veit

**Approved** by the Honorable Mayor on November 21, 2007, and is known as **Ordinance 07-300**



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**BILLS FOR INTRODUCTION**

The following Council Bills were introduced:

**Bill 9509**

An Ordinance Approving a Settlement Agreement with U.S. Cellular (*Sponsor: Bob Kneemiller*)

**Bill 9510**

An Ordinance Approving an Access and Parking Easement Agreement with Richardson Hammons, L.P., for the Convention Center (*Sponsor: Bob Kneemiller*)

**Bill 9511**

An Ordinance Authorizing a Contract with Michael Spurgeon as Director of Administration (*Sponsors: All Members of the City Council*)

**Bill 9512**

An Ordinance Authorizing a Contract with All Service Contracting Corporation for the Elm Point Water Plant Filter Replacement Project in an Amount Not to Exceed \$219,661.00 (*Sponsor: Michael Klinghammer*)

**Bill 9513**

An Ordinance Authorizing a Pipe Line License Renewal Agreement with the Missouri Department of Natural Resources for the Maintenance, Operation and Repair of Four (4) Pipes of Various Sizes Crossing the Right of Way for the Katy Trail State Park (*Sponsor: Larry Muench*)

**Bill 9514**

An Ordinance Authorizing an Agreement with the Missouri Highways and Transportation Commission to Provide Funding for the Installation of Traffic Signals for the Route 94 and Fox Hill Road Traffic Signal Project (*Sponsor: Richard Veit*)

**Bill 9515**

An Ordinance Authorizing a Contract with Missouri Piping, Inc. for the Construction of the West Adams Storm Sewer Project in an Amount Not to Exceed \$262,295.18 (*Sponsor: Dave Beckering*)

**Bill 9516 (*Amended Prior to Introduction*)**

An Ordinance Amending Ordinance Number 06-343 by Amending Certain Revenue, Expenditure, and Fund Balance Accounts for the Budget for the Fiscal Year 2007 (Budget Amendment #5) (*Sponsor: Bob Kneemiller*)

A motion was made by LARRY MUENCH to add \$15,000 for the Parks Foundation. BOB KNEEMILLER seconded the motion. All voted in favor, motion passed.



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**Bill 9517**

An Ordinance Authorizing Acceptance for Public Maintenance 1,330 Linear Feet of a New 10-Inch PVC Water Main Between Lot #1 of Sandfort Creek (Grau Contracting) and the Western Street Right of Way of Truman Boulevard at Trinity Metals (*Sponsor: Jerry Reese*)

CONSENT AGENDA

A motion was made by JERRY REESE to receive and approve the consent agenda. LARRY MUENCH seconded the motion. A roll call vote was taken, with the following results: "Aye": Weller, Beckering, Ermeling, Feldman, Klinghammer, Kneemiller, Muench, Reese, and Stivison. "Nay": None. Absent: Veit. Motion passed.

A. Approval of Council Minutes

1. Public Hearing of November 6, 2007

File #46680

B. Receipt and/or Approval of Council Committee Reports

1. Council Work Session of October 15, 2007

File #46514

2. Council Work Session of October 16, 2007

File #46514

3. Technology Committee Meeting of November 6, 2007

File #46515

C. Receipt of Reports from Boards, Commissions or Committees

1. Board of Adjustment Meeting of September 10, 2007

File #46491

2. Board of Adjustment Meeting of October 8, 2007

File #46491

3. Veteran's Memorial Committee Meeting of October 1, 2007

- a. Motion to Call Veterans to the Podium by War Era at the November 11<sup>th</sup> Veteran's Day Commemoration to Receive the Veteran Lapel Pins.

File #46454

4. Special Business District Advisory Board Meeting of October 4, 2007

- a. Motion to Allocate \$5,000 to Bill Goellner on Behalf of Christmas Traditions.

File #46473

5. Economic Development Meeting of October 4, 2007

File #46472

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6. July 4<sup>th</sup> Riverfest 2008 Meeting of October 10, 2007
    - a. Motion to Approve the Budget Expenditures for Riverfest 2007
    - b. Motion to Approve the Dates and Times for Riverfest 2008, as Presented

File #46455

D. Receipt of Reports of the Director of Administration

1. Liquor License Application for Gary P. Tauscher, d/b/a: Applebee's Neighborhood Grill & Bar, located at 2921 Veteran's Memorial Pkwy
2. October Investment Report

File #46463

File #46456

E. Approval of Contracts and Easements from \$30,000 - \$100,000

1. Contract with TGB, Inc. for Kingshighway Streetlighting Project in an Amount not to Exceed \$35,560.00

File #46681

2. Contract with Cole & Associates, Inc. for Design of Roadway Extension of North Randolph & Little Hills Expressway in an Amount not to Exceed \$67,985.00

A motion was made by MICHAEL KLINGHAMMER to amend the contract to require that the Council approve the selection of an alignment. LARRY MUENCH seconded the motion. All voted in favor, motion passed.

File #46682

3. Contract with KDNL Channel 30 for Advertising for the Convention & Visitors Bureau in an Amount not to Exceed \$30,995.00

File #46683

F. Preliminary Plats  
None

G. Miscellaneous

1. Report of Municipal Court of the Monies Collected and deposited during the month of October 2007

File #46462

2. Request for Funds to be Paid Out of Council Directives

File #46576

REPORT OF THE MAYOR

Report of the Mayor Relative to Budget Amendment No. 5 (Council Bill 9516)

The Honorable Mayor Patricia M. York outlined the items included in Council Bill 9516.

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Written and/or Verbal Messages from the Mayor

*Christmas Traditions*

The Honorable Mayor Patricia M. York announced that Christmas Traditions begins on Friday, November 23<sup>rd</sup>

*Lights in Frontier Park*

The Honorable Mayor Patricia M. York thanked Councilmember Erv Ermeling for the Christmas lights in Frontier Park

*4<sup>th</sup> Friday Art Walk*

The Honorable Mayor Patricia M. York announced that the 4<sup>th</sup> Friday Art Walk is scheduled for Friday, November 23<sup>rd</sup>

*Trains on Main*

The Honorable Mayor Patricia M. York announced that Trains on Main will be held on North Main Street

*Train Display at Frenchtown Heritage Museum*

The Honorable Mayor Patricia M. York announced that the Frenchtown Heritage Museum will feature a train display from November 23, 2007, through December 30, 2007.

*Breakfast with Santa*

The Honorable Mayor Patricia M. York announced that the Parks & Recreation Department will host Breakfast with Santa on Saturday, December 8, 2007.

*Holiday Symphony Concert*

The Honorable Mayor Patricia M. York announced that there will be a Holiday Symphony Concert at the Foundry Art Centre on December 15-16, 2007.

*Las Posadas*

The Honorable Mayor Patricia M. York announced that Las Posadas is scheduled for December 1, 2007.

*Happy Thanksgiving*

The Honorable Mayor Patricia M. York wished everyone a Happy Thanksgiving.

ANNOUNCEMENTS FROM COUNCILMEMBERS/MISCELLANEOUS

Announcement of Holiday Concert by Municipal Band at the Foundry Art Centre

Councilmember Larry Muench announced that the Municipal Band Holiday Concert is scheduled for Thursday, November 29, 2007, at the Foundry Art Centre.

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Written and/or Verbal Messages from the Councilmembers

*Water Main Break*

President of the Council Bob Kneemiller thanked the property owners on South Main for their patience during the repair of the water main break.

*Missouri Tigers Football Team*

President of the Council Bob Kneemiller wished the Missouri Tigers Football Team good luck in the upcoming game on Saturday, November 24<sup>th</sup>

*Real Estate Taxes*

Councilmember Larry Muench voiced concern that the St. Charles County Real Estate Taxes were mailed on postcards.

*Resolution Adopting the National League of Cities' Platform for Strengthening Families and Improving Outcomes for Children and Youth*

Councilmember Laurie Feldman announced that the NLC Platform will be disseminated to churches, civic organizations, and schools.

RECONSIDERATION OF COUNCIL BILL 9503

A motion was made by MICHAEL KLINGHAMMER to reconsider the passage of Council Bill 9503 relative to adoption of the Budget for Fiscal Year 2008. JERRY REESE seconded the motion. A roll call vote was taken, with the following results: "Aye": Weller, Beckering, Ermeling, Feldman, Klinghammer, Kneemiller, Muench, Reese, and Stivison. "Nay": None. Absent: Veit. Motion passed.

A motion was made by MICHAEL KLINGHAMMER to hold Council Bill 9503 until the Regular Council Meeting scheduled for December 4, 2007. LARRY MUENCH seconded the motion. All voted in favor, motion passed.

The Regular Council Meeting was adjourned at 8:45 p.m.

December 4, 2007  
Date Approved

Marilyn K. McCas  
City Clerk

Bob Kneemiller  
Bob Kneemiller, Presiding Officer